

JEFFERSON COUNTY COMMISSIONERS
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KEN WEBER, CHAIR

CHUCK NOTBOHM

TOM LYTHGOE

**PROCEEDING OF THE BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON, STATE OF MONTANA
May 20, 2008**

Present: Commissioners Weber, and Lythgoe, Mike Hoffman, County Planner; Harold Stepper, County Planner; Jan Anderson, Monitor/Courier; John Trudnowski, Marilyn McCauley, Linda Lindsay, John Hoagland

CALENDAR REVIEW

5/13 - 7:00??p.m.
5/15 - 8:00 meeting with John Bowe/RDGP grant application
10:00 MACo District Meeting
7:00 Library Subcommittee/Clancy
5/16 - 8:00 CTAC
1:00 Clancy Library meeting
5/19 - 1:00 Renovation needs
5/21 - 6:45p.m. Radio Operability
5/22 - 9:30 Salary Compensation Committee
2:30 Headwaters
7:00 Solid Waste
5/23 - 3:00 Insurance/JPA
5/27 - 7:00 LEPC
5/28 - 4:30 Affordable Housing
7:00 Jefferson Valley Watershed
5/29 - 10:00Anna Cossel /Insurance
4:00 Zoning Committee
7:00 Community Development Board
5/30 - 1:00 Affordable Housing
6/5 - 9:00-4:30 Beetle Kill meeting in Missoula

COMMISSION REPORTS

Commissioner Lythgoe reported that on the 19th the Commission met with the stakeholders in relationship to the Wagner Bld. They discussed space needs and accommodations. It was a good discussion.

Commissioner Lythgoe reported that on the 14th he attended the Elk Horn citizen's advisory committee meeting. They discussed that the Elk Horn Goldfields Mine EA is out for comment. Also that the road issue is not resolved but that it hopefully will be soon. The mine needs the work on the road to be done as soon as possible. They would like to be operating by June or July.

Commissioner Lythgoe reported that on the 15th he and Commissioner Weber attended the MACo 8, 9, and 12 District meeting in Whitehall. Jefferson County was the host at the all day meeting. There were only two counties not present, and there were at least two Commissioners from each of the other counties involved. MACo dominated most of the agenda, covering budget, legislative issues, and resolutions. The next meeting is set for August and will be held at White Sulphur Springs, MT.

Commissioner Weber reported that he attended the Library Board Subcommittee meeting on the 15th. It was a meeting to identify the needs of the N. end of the county. They clarified the direction the Library Board intended and what was needed from the subcommittee. They decided that the National Environmental Policy Act (NEPA) process might work best.

Commissioner Weber reported that he attended a CTAC meeting on the 16th and that Golden Sunlight Mine is approaching the parent company about continued operations.

Commissioner Weber reported that he also attended a Library Board trustee trainee meeting on the 16th.

ELECTED OFFICIAL DEPT. HEAD CONCERNS

Commissioner Lythgoe stated that he received a call from a real estate agent in regards to the fire water storage tank at Pronghorn Hills Subdivision, and asked Harold Stepper, County Planner if he could comment on the issue and who might be responsible for the tank.

Harold came forward and stated that it seems the storage tank was put in by the developer and then became the responsibility of the Homeowners Assoc.. Sometime later a frontage road was put in which cut off access to the fill station. There had been a problem with kids opening the tank and letting water run out into the lot below. Commissioner Lythgoe expressed concerns regarding liability if the tank contains water, and if so who should empty it. He asked Harold to call Rick Abraham, Mt City Fire Chief, to see how to handle it.

CORRESPONDENCE

Commissioner Weber then read an email from Stillwater County to the Hard Rock Counties voicing their concerns regarding the Clean Water Act and a copy of the letter Stillwater County sent in opposition to Bill H.R. 2421 that would adversely effect the Act. Stillwater County is opposed to the bill based on the potential of excessive governmental control. In the language of the bill they want to change the term "navigable waters," to just "waters," making the bill too vulnerable to that control. It was decided that the Commission was in total agreement with the opposition, and a letter and comment should be sent in support of the opposition.

SUBDIVISION REVIEW

REQUEST FOR EXTENSION OF PRELIMINARY PLAT – JEFFERSON ACRES MAJOR SUBDIVISION – WHITEHALL MT.

Mike Hoffman, County Planner, came forward and presented the Commission with a plat map of the subdivision and a copy of the request. He then read the request and recommended approval of the request. There was a short discussion and Shawn Hoagland, the developer, spoke from the gallery.

Commissioner Lythgoe made a motion to grant the request for time extension to May 29, 2009 for Jefferson Acres subdivision. Commissioner Weber seconded. The motion carried.

It was later decided after further discussion that the motion should be amended to reflect the date of November, 20, 2008 for the extension, because of a conflict of time between the May 29, 2009 extension date, the May 19, 2009 line of credit expiration date, and the Nov 20, 2008 bond expiration date. It was decided that it would be better to have the developers ask for another after the November 20th day if the need be.

Commissioner Weber made a motion to change the preliminary plat extension date to November 20, 2008 instead of May 29, 2009. Commissioner Lythgoe seconded. The motion carried.

REQUEST FOR SUBDIVISION IMPROVEMENTS AGREEMENT – JEFFERSON ACRES MAJOR SUBDIVISION

Mike Hoffman, County Planner, came forward and presented the Commission with the pertinent documents. He then read the subdivision improvements agreement and recommended approval. Commissioner Weber asked if this had been seen by Matt Johnson, County Attorney, and Mike acknowledged that it had. There was a correction made to the item numbering order.

A discussion ensued that led to the motion to change the extension date as recorded above.

Joe Carter, Road Supervisor, came forward with a request for the developers to explain their mobilization, where they would be transporting from and at what expense. Shawn Hoagland again spoke from the gallery explaining that they would be transporting from 3 miles to the North, and from a gravel pit 1 mile to the South, thus cutting down on expense.

Commissioner Lythgoe made a motion to accept the subdivision improvement agreement. Commissioner Weber seconded. The motion carried.

ITEMS FOR COMMISSIONERS ACTION OR REVIEW

LIFTING AG RESTRICTION ON TRACT J SECTION 16 T8N R3W RESOLUTION 21-2008

Harold Stepper, County Planner, came forward. The subject had been discussed in a previous meeting. He did take the resolution to Matt Johnson, County Attorney, to approve. The number was changed from 20-2008 to 21-2008 because that number had been issued to a previous resolution.

Commissioner Lythgoe made a motion to adopt Resolution 21-2008. Commissioner Weber

seconded. The motion carried.

Harold asked to have the copies of the resolution back so that he could send them to the land owner for signatures.

SIGN FAIR BOARD BLEACHER CONTRACT

It was decided that there was no need to read the Fair Board Bleacher contract. Commission Lythgoe asked if that portion of the metal mines grant had been approved. Commissioner Weber said yes it had been.

Commissioner Lythgoe made a motion that the Commission Chairman signs the contract. Commissioner Weber seconded. The motion carried.

FUNDING FOR PHASE I OF FAIRGROUNDS BLEACHERS

Commission Weber read a letter from the Jefferson County Fair Board detailing the funds needed to complete phase I, and a description of work to be accomplished in phase II and phase III. There was then a discussion with Marilyn McCauley, Fair Board Secretary. Marilyn felt they should have a more detailed cost estimate by the 1st of the month after they hear from their architect. She wasn't sure if \$50,000 would cover the cost at this point. She said the Fair Board would be applying for any grants available. She said this letter was just a heads up. Commissioner Lythgoe stated that the Commission couldn't commit to anything financially until after the county budget has been finalized. Marilyn commented that the project would more that likely get started after the fair this year. Marilyn then approached the Commission with some letters of concern she wanted to have the Commissioners read. They contained simple address and typo errors. She was asked to have copies made for them to take back to the office.

SIGN CONTRACT FOR ARCHITECTURAL SERVICES

Commissioner Weber read the letter and contract from Studio 360 Architects for the work to be done on the Wagner building.. It was established that Matt Johnson, County Attorney, had reviewed the document and it was in order.

Commissioner Lythgoe made a motion for Commissioner Weber to sign the contract. Commissioner Weber seconded. The motion carried.

OPPORTUNITY FOR PUBLIC COMMENT

Jan Anderson, Monitor/Courier, had a question concerning any tax implication in lifting the ag. restriction. Commissioner Weber explained that changing the designation from ag. land will not change the value of the land, but that ag. land is taxed differently.

MEETING ADJOURNED

Commissioner Lythgoe moved to adjourn. Commissioner Weber seconded. The motion carried
ATTEST:

BONNIE RAMEY
CLERK AND RECORDER

KEN WEBER, CHAIR

TOMAS E. LYTHGOE, COMMISSIONER
